

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DOUGLAS GERRELLE PITTMAN,	)	
	)	
Petitioner,	)	
	)	1:18CV611
v.	)	1:16CR20-1
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**ORDER**

This matter is before this court for review of the Order and Recommendation filed on October 8, 2020, (Doc. 101), by the Magistrate Judge in accordance with 28 U.S.C. § 636(b). In the Recommendation, the Magistrate Judge recommends that Petitioner's motion, (Doc. 82), seeking reimbursement of his special assessment fees, "Writ of Mandamus," (Doc. 99), to the extent it seeks to raise a claim or amend Petitioner's § 2255 motion, and § 2255 motion, (Doc. 75), all be denied and that this action be dismissed. The Recommendation was served on the parties to this action on October 8, 2020, (Doc. 102). Petitioner timely filed objections, (Doc. 104), to the Recommendation.

This court is required to "make a de novo determination of those portions of the [Magistrate Judge=s] report or specified

proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1). This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the [M]agistrate [J]udge. . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions." Id.

This court has appropriately reviewed the portions of the Recommendation to which objections were made. This court has made a de novo determination and finds that the objections asserted do not change the substance of the United States Magistrate Judge's Recommendation. This court therefore adopts the Recommendation.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 101), is **ADOPTED. IT IS FURTHER ORDERED** that Petitioner's Motion Seeking Reimbursement of the Over Payment of the Special Assessment Fines and Notice of Change in Petitioner's Economic Circumstances in Relation to said Fine and Motion for Modification of the Terms of Supervised Release, (Doc. 82); Petitioner's "Writ of Mandamus," (Doc. 99), to the extent it seeks to raise a claim or amend Petitioner's § 2255 motion;; and Petitioner's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody, (Doc. 75), are **DENIED** and that this action is **DISMISSED.**

A Judgment dismissing this action will be entered contemporaneously with this Order. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This the 15th day of April, 2021.

  
United States District Judge